

REMARKS

Applicants acknowledge receipt of the Office Action dated August 27, 2007, in which the Examiner cited Rule 1.121; objected to the Specification; objected to claim 10; and rejected claims 1-10 as anticipated by Tran (US Publication 2004/0065445, now US Patent 7,182,141). Applicants have amended the claims and respectfully traverse the rejections for the reasons set out below.

Citation of Rule 1.121

Claims 5-10 have been included in the present claim listing, as required.

Objection to the Specification

Applicant respectfully submits that the guidelines regarding layout of a patent application are not mandatory and that it is therefore not necessary that the present application include every subheading that is mentioned in the guidelines, particularly when those sub-sections are not applicable to the present case. Nonetheless, the specification has been amended to include subheadings CROSS REFERENCE TO RELATED APPLICATIONS, STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT, THE NAMES OF PARTIES TO A JOINT RESEARCH AGREEMENT, and INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC. The remainder of the suggested subheadings were added in the previously submitted Preliminary Amendment.

Objection to claim 10

Claim 10 has been canceled.

Rejection of claims 1-10 as anticipated by Tran

Applicant respectfully submits that the Examiner has not met the burden of proof required to reject the present claims over Tran.¹ Instead of presenting a clear statement of the items in Tran that anticipate the elements recited in the present claims, the Examiner has identified some components of the Tran device that are arguably similar to certain components of the claimed device. This is not sufficient to support an anticipation rejection, however, as there

are additional elements in the present claims that are not present in Tran and not mentioned in the Examiner's rejection.

With respect to claim 1, one such missing element is a remote controller that is arranged to transmit an acoustic signal to an acoustic conductor and a plurality of activating tools that each have a controller arranged to receive the acoustic signal from the acoustic conductor and to control the corresponding activating tool upon receipt of said acoustic signal. Tran does not disclose or suggest an acoustically-controlled system; the sole use of acoustic signals in Tran is in the context of sensing the status (e.g. wall thickness) of the tubular. Thus, for at least this reason Tran does not anticipate claim 1, which includes this element.

Similarly, claim 7 is not anticipated. Claim 7 depends from claim 6 and therefore requires that the claimed activating system include both a pulling tool and an expandable anchor arranged to anchor the pulling tool to the interior surface of the tubular element upon expansion of the anchor,. The Examiner has not cited, and Tran does not disclose, any use of an anchor for anchoring a pulling tool to the interior surface of the tubular element.

Likewise, claim 8 is not anticipated. Claim 8 depends from claim 1 and requires that the claimed system include expandable packer for sealing an end portion of the tubular element. Tran does not disclose a component meeting this limitation. The office action includes a reference to Tran's sealing device 210, but that device, which is on the outside of Trans lower casing string, is designed to enhance the formation of "a fluid seal between the outer surface of the lower string of casing 120U and the inner surface of the upper string of casing 110L after the lower casing string 120U has been expanded" col. 4, line 62 – col. 5, line 1. Thus, sealing element 210 in no way serves to seal the end portion of the tubular element that is to be expanded.

For all of these reasons, Applicants respectfully request that the Examiner reconsider and withdraw the rejections.

¹ MPEP 706 02(V) provides "In other words, for anticipation under 35 U.S.C. 102 [to apply], the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present."

New claims

New claims 11-17 have been added. Of these, claim 11 is independent. Claim 11 combines the recitations of claims 1, 6, 7, and 8 and claims 12-17 depend from it. No new subject matter has been added. Applicants respectfully submit that the new claims are allowable over the art of record for the reasons set out below.

Conclusion

Applicants believe that the present response address each objection and rejection raised in the Office Action. Applicants therefore request that the Examiner allow the case. If it would be considered helpful in resolving any issues relating to this case, the Examiner is encouraged to contact the undersigned at the number below.

Respectfully submitted,

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